



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) .No.1309 of 2021

Gurusamy

... Petitioner/Father of the detenue

-vs-

1.The Commissioner of Police,
Madurai city,
Madurai.

2.The Inspector of Police,
Karimedu Police Station ,
Karimedu,Madurai.

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, for a direction to the respondents to produce the corpus or body of the petitioner's daughter namely Vinitha, aged 30 years before this Hon'ble Court and by set her at liberty.

For Petitioner : Mr.G.Radhakrishnan

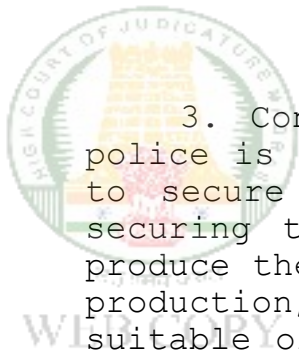
For Respondents : Mr.S.Ravi
Standing counsel for the State

O R D E R

(Order of the Court was made by V. BHARATHIDASAN, J.)

The petitioner is the father of the detenue. Alleging that the petitioner's daughter by name Vinitha, aged about 30 years, was found missing from 06.01.2020, the petitioner said to have given a complaint before the second respondent police on 10.01.2020. Though an F.I.R has been registered in Crime No.36 of 2020, so far no action has been taken by the second respondent police to secure the detenue. Hence, the present Habeas Corpus Petition has been filed.

2.When the matter is taken up for hearing today, Mr.S.Ravi, learned Standing Counsel appearing for the State, on instructions would submit that based on the complaint given by the petitioner, the second respondent police has registered an F.I.R. in Crime No.36 of 2020 and the initial investigation reveals that the detenue is a married woman, her husband is in abroad and now she is having some connection with a lady by name Sindhu and left the house and this is the second time, she is missing from the house.



3. Considering the above circumstances, the second respondent police is directed to proceed with the investigation and take steps to secure the detenu as early as possible and in the event of securing the detenu, the second respondent police is directed to produce the detenu before the concerned Judicial Magistrate. On such production, the concerned Judicial Magistrate is directed to pass suitable orders regarding the custody of the detenu, in accordance with law.

4. With the above directions, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

JBR/pm

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

- 1.The Commissioner of Police,
Madurai city,
Madurai.
- 2.The Inspector of Police,
Karimedu Police Station ,
Karimedu,Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

The Chief Judicial Magistrate,
Madurai.

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